

Rodney L. Eshelman, No. 059339  
Raymond J. Tittmann, No. 191298  
**CARROLL, BURDICK & McDONOUGH LLP**  
44 Montgomery Street, Suite 400  
San Francisco, California 94104  
Telephone: (415) 989-5900  
Facsimile: (415) 989-0932

Attorneys for Defendant  
TRANSCONTINENTAL INSURANCE COMPANY

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

FREDERICK MEISWINKEL, INC., a  
California corporation,

Plaintiff,

v.

TRANSCONTINENTAL  
INSURANCE COMPANY, a New  
York corporation, et al.,

Defendant.

No. CV 06-03703 SC

**STIPULATION AND [PROPOSED] ORDER  
EXTENDING TIME FOR INITIAL  
DISCLOSURES**

**[CIVIL L.R. 6-1]**

Date: September 8, 2006  
Time: 10:00 a.m.  
Division: San Francisco  
Courtroom: No. 1  
Judge: Hon. Samuel Conti

WHEREAS, the Court has set a September 1, 2006 deadline for initial disclosures in this case under Fed. R. Civ. Proc. 26(a)(1);

WHEREAS, Defendants Transcontinental Insurance Co., AIU Insurance Company, Lexington Insurance Company, and Zurich American Company ("Defendant Insurers"), and Plaintiff Frederick Meiswinkel, Inc. ("FMI") have been engaged in mediation for several months, and continue to be so engaged;

WHEREAS, Defendant Insurers and FMI reasonably hope to resolve some or all of the disputes between the parties in the course of this mediation;

WHEREAS, Defendant Insurers and FMI wish to avoid certain litigation expenses that may become unnecessary should certain claims be resolved and parties be dismissed; and

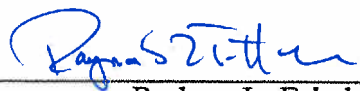
WHEREAS, Defendant Insurers and FMI acknowledge the confidentiality of the ongoing mediation under California Evidence Code sections 1119 and 1152, and require additional time to review documents subject to initial disclosures and remove from the productions or redact documents referring to the confidential mediation proceedings.

Defendant Insurers and FMI hereby stipulate and jointly request an order of the Court as follows:

The September 1, 2006 deadline for initial disclosures shall be extended to September 15, 2006. Defendant Insurers and FMI, or any parties remaining at that time, may submit another stipulation and proposed order prior to that date to further extend the deadline for initial disclosures should it appear appropriate.

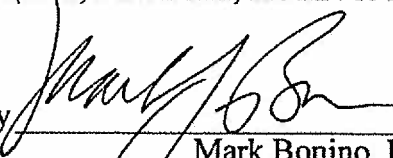
Dated: August 25, 2006

CARROLL, BURDICK & McDONOUGH LLP

By   
Rodney L. Eshelman  
Raymond J. Tittmann  
Attorneys for Defendant  
TRANSCONTINENTAL INSURANCE  
COMPANY

Dated: August 25, 2006

ROPERS, MAJESKI, KOHN & BENTLEY

By   
Mark Bonino, Esq.  
Maria Quinteror, Esq.  
Attorneys for AIU Insurance Company, a New  
York Corporation and Lexington Insurance  
Company, a Delaware Corporation

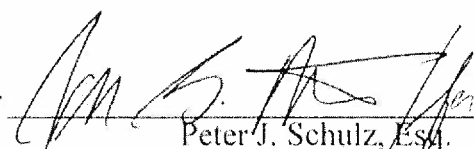
1 Dated: August \_\_, 2006

SINNOTT, DITO MOURA & PUEBLA, P.C.

2  
3 By \_\_\_\_\_  
4 Blaise S. Curet, Esq.  
5 Attorneys for Zurich American Company, a New  
6 York Corporation

7 Dated: August 25, 2006

GRECO & TRAFICANTE

8  
9 By  \_\_\_\_\_  
10 Peter J. Schulz, Esq.  
11 Attorneys for Frederick Meiswinkel, Inc.

12  
13 GOOD CAUSE APPEARING, IT IS SO ORDERED: The September 1, 2006  
14 deadline for initial disclosures shall be extended to September 15, 2006. Defendant  
15 Insurers and FMI, or any remaining parties, may submit another stipulation and proposed  
16 order prior to that date to further extend the deadline for initial disclosures should it  
17 appear appropriate.

18 Dated: \_\_\_\_\_

19  
20  
21 \_\_\_\_\_  
22 Honorable Samuel Conti  
23 United States District Judge  
24  
25  
26  
27  
28

1 Dated: August 25, 2006

SINNOTT, DITO MOURA & RUEBLA, P.C.

2  
3 By

Blaise S. Curet, Esq.  
Attorneys for Zurich American Company, a New  
York Corporation

4  
5  
6 Dated: August \_\_, 2006

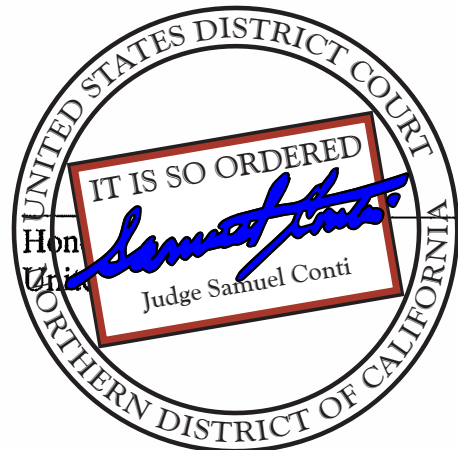
GRECO & TRAFICANTE

7  
8  
9 By

Peter J. Schulz, Esq.  
Attorneys for Frederick Meiswinkel, Inc.

10  
11  
12  
13 GOOD CAUSE APPEARING, IT IS SO ORDERED: The September 1, 2006  
14 deadline for initial disclosures shall be extended to September 15, 2006. Defendant  
15 Insurers and FMI, or any remaining parties, may submit another stipulation and proposed  
16 order prior to that date to further extend the deadline for initial disclosures should it  
17 appear appropriate.

18 Dated: August 28, 2006



1 *Frederick Meiswinkel, Inc. v. Transcontinental Insurance Company, et al.*  
 2 United States District Court Northern District of California; Action No. C 06-03703SC

3 **PROOF OF SERVICE BY MAIL**

4 I declare that I am employed in the County of San Francisco, California. I am  
 5 over the age of eighteen years and not a party to the within cause; my business address is  
 44 Montgomery Street, Suite 400, San Francisco, CA 94104. On August 25, 2006, I  
 served the enclosed:

6 **STIPULATION AND [PROPOSED] ORDER EXTENDING TIME FOR INITIAL**  
 7 **DISCLOSURES**

8 on the parties in said cause (listed below) by enclosing a true copy thereof in a sealed  
 9 envelope and, following ordinary business practices, said envelope was placed for mailing  
 and collection (in the offices of Carroll, Burdick & McDonough LLP) in the appropriate  
 10 place for mail collected for deposit with the United States Postal Service. I am readily  
 familiar with the Firm's practice for collection and processing of  
 11 correspondence/documents for mailing with the United States Postal Service and that said  
 correspondence/documents are deposited with the United States Postal Service in the  
 ordinary course of business on the same day.

13 Mark Bonino, Esq.  
 14 Maria Quinteror, Esq.  
 15 Ropers, Majeski, Kohn & Bentley  
 80 North First Street  
 San Jose, CA 95113  
 Tel: (408) 287-6262  
 16 Fax: (408) 918-4501

Attorneys for AIU Insurance Company, a  
 New York Corporation and Lexington  
 Insurance Company, a Delaware  
 Corporation


17 Blaise S. Curet, Esq.  
 Sinnott, Dito Moura & Puebla, P.C.  
 18 555 Montgomery Street, Suite 720  
 San Francisco, CA 94111-3910  
 19 Tel: (415) 352-6200  
 Fax: (415) 353-6224

Attorneys for Zurich American Company,  
 a New York Corporation

20 Peter J. Schulz, Esq.  
 21 Greco & Traficante  
 555 West Beech Street, Suite 500  
 22 San Diego, CA 92101  
 Tel: (619) 234-3660  
 23 Fax: (619) 234-0626

Attorneys for Frederick Meiswinkel, Inc.

24 I declare under penalty of perjury that the foregoing is true and correct, and  
 25 that this declaration was executed on August 25, 2006, at San Francisco, California.

26   
 27 Connie Fernandes  
 28 Connie Fernandes